UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/SR.443
25 March 1998

ENGLISH
Original: FRENCH

COMMITTEE ON THE RIGHTS OF THE CHILD

Seventeenth session

SUMMARY RECORD (PARTIAL) OF THE 443rd MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 15 January 1998, at 3 p.m.

Chairperson: Miss MASON

CONTENTS

MEETING WITH THE CANADIAN COALITION FOR THE RIGHTS OF THE CHILD

DEBATE ON THE SEXUAL EXPLOITATION OF CHILDREN

No summary record was prepared for the rest of the meeting (closed).

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.98-15092 (E)

The meeting was called to order at 3.10 p.m.

MEETING WITH THE CANADIAN COALITION FOR THE RIGHTS OF THE CHILD

1. The CHAIRPERSON welcomed the two representatives of the Canadian Coalition for the Rights of the Child.

2. Ms. COLLINS (Canadian Coalition for the Rights of the Child) said that she and her colleague, Ms. West, as well as all their colleagues in the Canadian Coalition for the Rights of the Child were striving to involve young people in the activities of the Canadian NGOs whose mandate was to develop a method for following up the implementation of the Convention's provisions. The Coalition, which had been set up in 1989 and grouped more than 50 NGOs, attached great importance to cooperation with the Government - at the federal and provincial levels - with decision-makers, NGOs and the public at large and particularly with young people - in order to ensure the effective implementation of the rights of the child. The Coalition's objectives were to monitor the implementation of the Convention in Canada, to develop awareness of the rights of the child among the public and young people and to provide an information network in Canada in respect of all issues relating to the Convention. The Coalition was at present partly funded - and had been promised full funding - by the federal Government. Lastly, the Coalition was preparing a precise assessment of how the Canadian authorities discharged their obligations under the Convention, in preparation for the submission of Canada's next periodic report to the Committee in 1999.

3. Ms. WEST (Canadian Coalition for the Rights of the Child) said that Canada had ratified the Convention in December 1991 and submitted its initial report to the Committee in 1994. The Coalition had studied the Committee's concluding observations and taken note of the subjects of concern brought to the attention of the Government of Canada, which included child poverty, the treatment of child refugees, child abuse, family violence, corporal punishment, information that was harmful to children, adolescent suicide and the reservations made by Canada in respect of articles 37 (c) and 21 of the Convention. However, the sharpest criticism had concerned the absence of a permanent follow-up mechanism. It was in that respect that the Coalition had a role to play as it had developed a follow-up methodology, in the form of a framework grid. The grid made it possible to register the extent to which each article of the Convention was followed up, at the federal and provincial levels, in terms of the legislation introduced, case law, practice and awareness among the general public and young people in particular. Each article of the Convention was thus treated as an analytical unit.

4. Mrs. SARDENBERG congratulated the two representatives of the Coalition for their interest in the Convention and for the valuable practical work they had already performed in monitoring its articles.

5. Ms. COLLINS (Canadian Coalition for the Rights of the Child), replying to a question put by Mrs. MBOI, said that the members of the Committee would find explanations on the use of the framework grid for each of the articles of the Convention, and in particular article 3, in the document they had

received. She added that her organization would continue to examine the interdependence of the various articles of the Convention, as it had already done in respect of the children of refugees.

6. Replying to a question by Mrs. Mokhuane, she said that, in filling out the part of the framework grid concerned with public opinion, not only had information published in the press been used, but also information drawn from other relevant sources, together with the findings of surveys among children and members of various professions.

7. Mrs. PALME asked how the Canadian Coalition for the Rights of the Child cooperated with national and local authorities.

8. Ms. COLLINS (Canadian Coalition for the Rights of the Child) said that her organization had on several occasions had meetings with representatives of various ministries and of the Inter-Ministerial Committee on the Rights of the Child. Discussions had centred on the preparation of Canada's next periodic report and on the implementation of the Convention. In that respect, the various ministries involved had assured the Canadian Coalition for the Rights of the Child of their full support in the implementation of its project to follow up the implementation of the Convention. The Canadian Coalition for the Rights of the Child also gathered information from municipal authorities and local NGOs. In particular, it had organized two meetings on the situation of the children of immigrants and refugees, in which the local representatives concerned had taken part.

9. Ms. WEST (Canadian Coalition for the Rights of the Child) said that in November 1997 the Coalition had organized meetings with local human rights advocates, some of whom already based their action on the Convention, in all Canada's provinces. It had also contacted a number of local media in order to make its activities known to the general public. Lastly, various countries had, at their request, been provided with a copy of the Coalition's final report.

10. The CHAIRPERSON commended the Canadian Coalition for the Rights of the Child on the work it was doing which could prove extremely valuable to other countries. She urged it to give the greatest possible publicity to the results of its work and said she hoped that the Committee would have a further opportunity to cooperate with it.

The meeting was suspended at 4 p.m. and resumed at 4.15 p.m.

DEBATE ON THE QUESTION OF THE SEXUAL EXPLOITATION OF CHILDREN

11. The CHAIRPERSON invited the representatives of the NGOs present to take the floor on the question of the sexual exploitation of children; a seminar on the subject would be held the following day.

12. Ms. SACKSTEIN (Focal Point Programme on Sexual Exploitation of Children, NGO Group for the CRC) said that her organization was part of a larger group, known as the Support Group, comprising representatives of Governments, universities and NGOs, whose aim was to bring together all the efforts being made to support the Committee's work.

13. Ms. SEPTEMBER (Focal Point Programme on Sexual Exploitation of Children) said that her experience as a teacher at Western Cape University, as the Chairperson of an NGO dealing with the rights of the child, and as a citizen of a country which had just introduced democracy, had convinced her of the desirability of strengthening links and cooperation among the NGOs dealing with the rights of the child, research bodies and Governments in order to ensure the full implementation of the Convention's provisions.

14. Ms. ARMYR (International Save the Children Alliance) said her organization was working on behalf of children in over 100 countries and that in many of them it was implementing programmes to eliminate the sexual exploitation of children, in cooperation with local NGOs and Governments. Such practices had to be viewed in the light not only of articles 19 and 34 of the Convention, concerning violence against children and the sexual exploitation of children respectively, but also of the four major principles set forth in the Convention, in other words non-discrimination, the best interests of the child, the survival and development of the child and children's participation in the life of the community.

15. She emphasized that action to curb the sexual exploitation of children should be a part of all programmes on behalf of particularly vulnerable groups of children, especially those affected by armed conflicts, street children, young detainees, refugee children, children placed in institutions and handicapped children. The survey carried out by her organization had revealed that handicapped children were three times more at risk than other children of becoming the victims of sexual violence. It was also important to gather information from children in the groups mentioned above who had been the victims of sexual violence.

16. Ms. BRUCE (International Catholic Child Bureau) was of the view that application of the Convention and implementation of the Agenda for Action of the Stockholm Congress required not only legislative reforms, but also a radical change in the situation of children. In that connection, she would like to know how the Committee helped Governments to adopt more measures on behalf of children and families and whether the reports of States parties reflected the recommendations of the Stockholm Congress.

17. Ms. COLLINS (Canadian Coalition for the Rights of the Child) said that on the following day she would describe to the seminar on the sexual exploitation of children a number of ways of associating children with the prevention of sexual exploitation and the rehabilitation of its victims. She would also speak of a conference to be held in March 1998 at Victoria, British Colombia, which would be attended, in particular, by children who had been the victims of sexual exploitation for commercial ends. The conference should result in the adoption of a declaration and a plan of action reflecting the spirit of the Stockholm Congress.

18. Mr. ENVALL (International Federation of Social Workers) emphasized that a number of professions were also concerned by the implementation of the rights of the child. For its part, the International Federation of Social Workers had developed a project funded, inter alia, by UNICEF, focusing on the prevention of the sexual exploitation (not only for commercial ends) of children and on assistance to its victims. He said that it would be desirable

for the Committee, when considering reports by States parties, to ask their representatives whether they actually provided the specialists concerned with the means of ensuring respect for the rights of the child.

19. Mr. DIONNE (International Bureau for Children's Rights) said that the specific purpose of his recently-established organization was to perform functions comparable to those of an international court for the rights of the child. In October 1997, public hearings, attended by 16 States and NGO representatives, had been held in Paris on the question of extraterritorial law and the amendments necessary to current legislation to make it more effective. In May 1998, public hearings would be held at Fortaleza, Brazil, to examine the international dimension of the sexual exploitation of children in the context of the developing countries as a whole and of Brazil in particular. In September 1998, public hearings would be held in Bangkok with the cooperation of NGOs involved in efforts to combat the sexual exploitation of children in Asia. The aim of the International Bureau for Children's Rights was to support the activities of NGOs and to strengthen links between them and States in order to speed up the desired changes, and it was trying to associate as many specialists as possible - such as judges, lawyers and police officers - with that task. It would be interesting to hear how the Committee, at its level, could help mobilize concerned specialists and individuals as well as the necessary resources. He also asked how the International Bureau for Children's Rights could cooperate with the Committee.

20. Ms. NOGUCHI (International Labour Office) said that the International Labour Office was drawing up a draft convention on the most intolerable forms of child labour and that a new document on the subject would be submitted to the June 1998 Conference. The document would contain proposals based on the replies from States to a questionnaire sent to them in 1997. The new instrument would include prostitution and pornography as intolerable forms of child labour and demand their immediate elimination, and it should also make provision for a mechanism to guarantee the effective implementation of its provisions. Another original feature of the project was that, rather than being stigmatized, countries affected by the practices of prostitution and pornography would be offered assistance to combat those scourges.

21. The CHAIRPERSON thanked the representatives of NGOs for their contributions. She invited members of the Committee to reply to the questions put to them, and in particular whether the Committee was promoting the implementation of the Agenda for Action adopted by the Stockholm Congress and whether it had detected any evolution in the sexual exploitation of children when it had considered the periodic reports of States parties.

22. Mrs. KARP said that Committee had always concerned itself with the sexual exploitation of children, and that it regularly tackled the problem when it considered the reports of States parties to the Convention. Nevertheless, there were many countries that failed - or did not wish - to admit that there was a problem. It took time to realize that that dreadful practice did not affect only others. As a rule, therefore, the initial reports of States parties contained very little specific information on the subject. It would be useful if those NGOs with information could transmit it to the Committee at the time the pre-sessional working group was preparing the list of issues to be taken up when a State party's report was examined.

The questions and observations addressed by the Committee to the State party's delegation would carry all the more weight if they were based on hard facts. It would also be well if NGOs could inform the Committee whether they were aware of any victim support services in countries, and indicate whether any such services were subsidized by the State.

23. She pointed out that the Declaration and Agenda for Action of the Stockholm Congress were not binding, and as the Committee's mandate was solely to ensure the implementation of the rights set forth in the Convention on the Rights of the Child, the two series of texts could hardly be placed on the same footing. Nevertheless, the Committee never failed to ask States parties to the Convention whether they had signed the Stockholm Declaration and Agenda for Action and how they ensured the implementation of the Agenda, and as a rule the question was even included in the list of issues when the reports of States parties were considered, so that the subject could be taken up during the discussion and referred to in the concluding observations.

24. Mrs. PALME drew the attention of NGO representatives to the brochure entitled "Implementation Handbook for the Convention on the Rights of the Child", recently published by UNICEF. It was an extremely interesting compendium of experience and recommendations which provided an overview of the problem; sexual violence and abuse should be viewed in a broader context. She welcomed what ILO was doing to curb the most intolerable forms of child labour and noted that the results of the recent Oslo Congress marked a significant step forward in that sphere. Moreover, the question of sexual violence should also be examined in the light of the study by the United Nations Special Representative on the impact of armed conflict on children. As for the work of the Committee itself, she said it was unable to make more thorough examination of all the issues connected with violations of the rights of the child as it could devote only three meetings to the consideration of each State party's report, and the Convention's scope was vast. In her view, it would be better if the Committee made a general survey of the Convention's implementation, and work in conjunction with NGOs and other international bodies, such as UNICEF, UNESCO and the World Bank, whose action had an impact on the rights of children and which generally sent a representative to attend the Committee's meetings.

25. Mrs. SARDENBERG said she endorsed most of the views expressed by the NGOs which had addressed the Committee, and particularly those concerning the international nature of the sexual exploitation of children and its links with poverty. She also noted that most of the reports of States parties before the Committee dated from early 1996, and thus failed to reflect the impact of the Stockholm Congress. However, she perceived an evolution in the attitude of Governments to the problem of the sexual exploitation of children since States parties had become more willing to answer the Committee's questions on the subject.

26. She would appreciate additional information on how the documents on sexual exploitation which the NGOs had presented at the Stockholm Congress had been followed up, and on the comparative analysis prepared by a number of NGOs for the United Nations working group on the draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. She emphasized that the information

provided by countries and the Committee's recommendations should make it possible to conceptualize the problem and thus develop a clearer idea of its nature, thereby facilitating international cooperation.

27. Mrs. MBOI pointed out that hardly any initial reports referred to the existence of the sexual exploitation of children. Research institutes could play a vital role by cooperating in studies of the problem which would enable Governments presenting their periodic reports to provide reliable information about the sexual exploitation of children or to propose solutions. She was also gratified that ILO was drawing up an instrument on child labour which took sexual exploitation into account. Lastly, she agreed with the International Federation of Social Workers that the Committee should not concentrate only on the commercial aspect of the sexual exploitation of children.

28. Mr. KOLOSOV stressed that, as the Committee's capacity was limited, it could not respond to the requests from, for example, all NGOs trying to curb the enrolment of young children in armed forces or the use of anti-personnel landmines, and which requested it to urge States parties to adopt appropriate measures. The Committee's mandate was primarily to monitor the implementation of the Convention. However, it had been concerned about the sexual exploitation of children for many years and in its concluding observations had never failed to devote a paragraph to the subject. He emphasized that at its current session the Committee should adopt a general comment on the question of child slavery, child prostitution and the use of children for pornographic ends. He added that NGOs, international bodies such as ILO and the Committee should concentrate on the international dimension of the practice and also take into account the causes of the sexual exploitation of children.

29. Mrs. PALME said that the fact that the training of child-care professionals was inadequate and that they lacked information must also be taken into account.

30. Mr. FULCI was of the view that NGOs played a vital role in the Committee's efforts to combat the sexual exploitation of children. The information they provided was of great value to the Committee when it considered the reports of States parties. It was also gratifying that a number of NGOs were helping to publicize the Committee's existence.

31. Mrs. KARP said that what was new about in the sexual exploitation of children was not only its international dimension, but also the fact that awareness of the practice was increasing - and knowledge was power. She also underscored the valuable contribution made by NGOs to efforts to combat family violence, incest and the sexual exploitation of children; by submitting facts and figures to Governments, they enabled them to take more effective measures. The Committee should also transmit its concluding observations on the reports of States parties to the NGOs so as to facilitate their work.

32. Ms. MOURAVIEFF-APOSTOL (International Federation of Social Workers) said that research into the sexual exploitation of children was of fundamental importance, although it should go hand in hand with work in the field. Action by Governments must also be combined with action by the NGOs, as the latter were in the best position to report on what was actually happening.

33. Ms. ARMYR (International Save the Children Alliance) said that her organization was endeavouring, together with other organizations and institutions, to determine who was responsible for sexual exploitation, in other words, who were the clients of the child victims of sexual exploitation.

34. Ms. SACKSTEIN (Focal Point Programme on Sexual Exploitation of Children) said, with regard to the comparative analysis referred to earlier, that the NGOs had for many years been stressing the need to give priority to the implementation of existing instruments, and in particular the Convention. The analysis had been based on a comparison between the draft optional protocol and all the instruments in force, and the comparison had revealed that most of the points contained in the draft protocol were already included in existing instruments. Greater attention should therefore be paid to the implementation of the latter. Lastly, it was essential for the NGOs to strengthen their cooperation with Governments.

35. The CHAIRPERSON thanked the NGOs present for their contribution and action which made the Committee's task easier. As Mr. Kolosov had emphasized, the Committee could not give all subjects all the attention they deserved, as its primary responsibility was to monitor the implementation of the Convention. As for the sexual exploitation of children, it was important that Governments should recognise the seriousness of the practice and endeavour to eliminate it, in particular with the assistance of the NGOs.

The discussion covered in the summary record ended at 5.45 p.m.